

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BENJAMIN CHOYCE,

Plaintiff,

v.

CITY AND COUNTY OF SAN
FRANCISCO, OFFICER MARTIN,
OFFICER PINEDA, SERGEANT
HASKELL,

Defendants.

No. C 09-1352 JSW (PR)

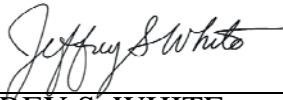
ORDER DENYING MOTION FOR
COUNSEL AND INSTRUCTIONS
TO THE CLERK

(Docket No. 15)

Plaintiff, previously incarcerated at the San Francisco County Jail in San Francisco, California, filed this civil rights complaint under 42 U.S.C. § 1983 alleging violations of his constitutional rights during his detention there. After Court orders from July and September, 2009 were returned, the Court dismissed this action on October 19, 2009 based on Plaintiff's failure to prosecute and to comply with Northern District Local Rule 3-11 by providing a change of address within 60 days indicating a current address. Therefore, Plaintiff's motion seeking appointment of counsel, filed on October 20, 2009 (docket no. 15) is DENIED as moot. The Clerk of Court is directed to send Plaintiff a copy of the Court's dismissal and judgment at Plaintiff's current address listed on his most recent Court filing.

IT IS SO ORDERED.

DATED: October 30, 2009



JEFFREY S. WHITE
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

BENJAMIN C. CHOYCE,
Plaintiff,

Case Number: CV09-01352 JSW

CERTIFICATE OF SERVICE

v.

SF CITY & COUNTY et al,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on October 30, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Benjamin C. Choyce
#2380465
San Francisco County Jail
850 Bryant Street
San Francisco, CA 94103

Dated: October 30, 2009



Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk